

Exhibit 10

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

5 WAYMO, LLC,)
6 Plaintiffs,)
7 - vs -) Case No.
8 UBER TECHNOLOGIES, INC.,) 3:17-cv-00939
9 OTTOMOTTO LLC; OTTO)
10 TRUCKING, LLC,)
11 Defendants.)

15 VIDEOTAPED DEPOSITION OF JOHN BARES,
16 a witness, called by the Plaintiff for examination,
17 in accordance with the Federal Rules of Civil
18 Procedure, taken by and before Tammie Elias, RPR and
19 Notary Public in and for the Commonwealth of
20 Pennsylvania, at the office of Reed Smith, 225 Fifth
21 Avenue, Suite 1200, Pittsburgh, Pennsylvania, on
22 Friday, June 16, 2017, commencing at 9:05 a.m.

24 JOB No. 2640097
25 PAGES 1 - 317

1	ago from the period January 2016 to August	09:39a
2	18th of 2016, and that was a period that I was	09:39a
3	asked to pull. I pulled those and submitted	09:39a
4	those and then this Wednesday, Uber pulled	09:39a
5	everything from my phone, all texts and --	09:39a
6 Q.	So as of Wednesday, you handed over to Uber	09:39a
7	texts that predate January 2016?	09:39a
8 A.	Every text on my phone, yes.	09:39a
9 Q.	And you had texts on your phone that predated	09:39a
10	January 2016?	09:39a
11 A.	As far as I know the way iPhone works is it	09:39a
12	never deletes anything. So all the way back	09:39a
13	to the first time I had an iPhone, which would	09:39a
14	have been 2013 or 2012 or something.	09:39a
15 Q.	In your capacity as an Uber employee, do you	09:40a
16	use any instant messaging services?	09:40a
17 A.	No.	09:40a
18 Q.	You don't use Slack?	09:40a
19 A.	Oh, I use Slack. I didn't think that as	09:40a
20	instant messaging.	09:40a
21 Q.	I don't use it personally, so how would you	09:40a
22	characterize slack, what type of communication	09:40a
23	is that? Now you see why I called it instant	09:40a
24	messaging.	09:40a
25 A.	Call it what you want. Let's use it by term.	09:40a

1	Q.	Okay. So you have used Slack in your capacity	09:40a
2		as an Uber employee?	09:40a
3	A.	Yes, I do. Yes.	09:40a
4	Q.	Have you ever deleted a Slack message while	09:40a
5		you were an Uber employee?	09:40a
6	A.	I don't think I know how, no. I thought they	09:40a
7		just went away. I mean the thread is always	09:40a
8		there. It's much like texts, if you open a	09:40a
9		thread with somebody, the message is all	09:41a
10		there. So, no, I have never deleted anything.	09:41a
11	Q.	Other than e-mail, texting and Slack, have you	09:41a
12		used any other form of electronic	09:41a
13		communication in your capacity as an Uber	09:41a
14		employee?	09:41a
15	A.	I have certainly used Zoom, it's a video	09:41a
16		conferencing, I have used that frequently.	09:41a
17		Once or twice used Google Chat thing, never	09:41a
18		with Anthony. Once or twice used the Google I	09:41a
19		don't even know if it's Google Chat Room or	09:41a
20		something for like one day.	09:41a
21	Q.	Hangouts, is that what you mean?	09:41a
22	A.	That's what it is, sorry. It was a -- so	09:41a
23		essentially, no. I'm not thinking of -- Slack	09:41a
24		is pretty common. I never used HipChat or any	09:41a
25		of those. I think Slack e-mail, text, and	09:42a